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B I L L

TO

Confirm a Provisional Order of the Local Government Board for Ireland relating to the Dean's Grange Joint Burial Board District. A D. 1899.  
—

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto under the Public Health (Ireland) Acts 1878 to 1896 :

And wheress it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

- 10    1. The Order set out in the schedule hereto is hereby confirmed and all the provisions thereof shall have full validity and force. Order in  
schedule  
confirmed.
2. This Act may be cited as the Local Government Board Short title.  
(Ireland) Provisional Order Confirmation (No. 4) Act 1899.

A. D. 1899

## SCHEDULE.

## THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Dean's  
Grange.*

## DEAN'S GRANGE JOINT BURIAL BOARD.

## PROVISIONAL ORDER.

41 & 42 Vict.  
c. 37.

WHEREAS previous to the passing of the Local Government (Ireland) 5  
Act 1898 the board of guardians of Rathdown Union acting as the sanitary  
authority of the district were the burial board charged with the maintenance  
of Dean's Grange burial ground situate in the said union:

41 & 42 Vict.  
c. 37.

And whereas by sections 29 and 33 of the said Act of 1898 the business of 10  
the board of guardians of Rathdown Union as burial board was transferred  
to the councils of the urban districts of Blackrock Kingstown and Dalkey  
and to the council of the rural district of Rathdown No. 1 (herein-after called  
the rural district) for so much of the union as is comprised within each of  
the said districts:

And whereas the council of Killiney and Ballybrack urban district is the 15  
burial board for such districts but has hitherto contributed to the maintenance  
of the Dean's Grange burial ground:

41 & 42 Vict.  
c. 37.

And whereas an application has been made to the Local Government Board 20  
for Ireland (herein-after called the Local Government Board) by the  
Kingstown urban district council in pursuance of section twelve of the Public  
Health (Ireland) Act 1878 to form a united district which would comprise  
the rural district and the said urban districts of Blackrock Kingstown Dalkey  
and Killiney and Ballybrack (which four districts are herein-after called the  
urban districts) and to constitute a joint burial board as the governing body  
of such united district and to transfer to such joint burial board the Dean's 25  
Grange burial ground and the maintenance and management thereof:

41 & 42 Vict.  
c. 37.

And whereas after due inquiry it appears to the Local Government Board  
that it would be for the advantage of the urban districts and of the rural  
district that they should be formed into a united district for the purposes and  
in the manner herein-after provided and all advertisements required by the 30  
Public Health (Ireland) Act 1878 have been duly published:

It is ordered by the Local Government Board as follows:—

Constitution  
of united  
district.

1. From and after the confirmation of this Order by Parliament the  
urban districts and the rural district shall be formed into a united

district (herein-after called the united district) in pursuance of section twelve of the Public Health (Ireland) Act 1878 for the purposes of acquiring taking over maintaining and managing the Dean's Grange burial ground.

A.D. 1898.

Dean's  
Grange.

41 & 42 Vict.  
c. 35.

Continuation  
of governing  
body of united  
district.

- 5 2. The governing body of the united district shall be a joint board (herein-after called the joint board) constituted as follows :—

The joint board shall consist of five ex-officio and fourteen elective members ;

- 10 The chairman for the time being of the councils of each of the urban districts and of the rural district shall be an ex-officio member ;

Of the fourteen elective members three shall be elected by the Blackrock urban district council one by the Dalkey urban district council five by the Kingstown urban district council one by the Killiney and Ballybrack urban district council and four by the Rathdown No. 1 rural district council ;

- 15 Elective members shall be annually elected and each elective member shall at the time of his election be a member of the council electing him.

- 20 3. The first election of elective members shall take place at an ordinary meeting of the council of each district to be held within two months after the confirmation of this Order. The meeting at which each election shall take place shall be fixed by a resolution of the council passed at a previous meeting. Such resolution may be passed without  
25 any previous notice but sufficient time must elapse between the passing of the resolution fixing the time of election and the time so fixed to enable the clerk of the council to give notice of the election in the manner following and seven days' notice at least shall be given by the clerk of the council to each member of the council of the time at which such first election will take place.

First election  
of members of  
the joint board.

- 30 4. After such first election an annual election of the elective members or member of the joint board by the council of each of the urban districts and of the rural district respectively shall take place at the meeting of each council which takes place next after the fifteenth day of June in each year after such first election.

Annual  
election of  
members.

- 35 5. Each elective member of the joint board shall continue in office as an elective member until he dies or resigns or becomes an ex-officio member or until the next annual election of the elective members or member of the joint board by the council by which he has been elected.

Continuance in  
office of  
elective  
members.

- 40 6. Casual vacancies among the elective members of the joint board shall be filled as follows. The council by which the member causing the vacancy has been elected shall at a meeting to be held within one

Filling casual  
vacancies in  
joint board.

A.D. 1899.

Dean's  
Grange.Proceedings of  
joint board.Incorporation  
of joint burial  
board.Purposes for  
which joint  
board is  
constituted.Expenses of  
joint board.

month after such vacancy has taken place (of which meeting seven days' notice shall be given by the clerk of the council to each member of the council) elect a member of their body to fill such vacancy.

7. Subject to the express provisions in that behalf contained in this Order the business at elections of members of the joint board by the council of each district shall be conducted and all questions shall be put and decided in the same manner as other business is conducted and other questions are put and decided at meetings of such council. 5
8. The joint board constituted as aforesaid shall be a body incorporated by the name of "The Dean's Grange Joint Burial Board" and shall have a perpetual succession and a common seal with power to acquire and hold lands for the purposes herein-after mentioned. 10
9. The united district shall be formed and the joint board shall be constituted for the purposes of acquiring taking over maintaining and managing the Dean's Grange burial ground and of possessing the powers and of performing the duties in respect to the united district of a burial board and from and after the completion of the first election of members of the joint board in pursuance of this Order the Dean's Grange burial ground with all rights and appurtenances thereto belonging shall be transferred and pass to and vest in the joint board subject to all debts and liabilities affecting the same and the joint board shall take over hold maintain and manage the same and shall possess in respect to the united district all the powers and perform all the duties of a burial board conferred and imposed on a burial board by the Public Health (Ireland) Acts 1878 to 1896. 15 20 25
10. The existing officers of the Dean's Grange burial ground shall become and be the officers of the joint board in like manner as if they had been appointed by the joint board acting as a burial board under the provisions of the Public Health (Ireland) Acts 1878 to 1896. The expression "existing officer" in this Article means an officer holding office on the First day of June One thousand eight hundred and ninety-nine and also on the date of the confirmation of this Order by Parliament. 30
11. The expenses to be incurred by the joint board in the execution of this Order shall be defrayed out of a common fund to be contributed by the urban districts and the rural district in proportion to the rateable value of the property in each district such value to be ascertained according to the valuation list in force for the time being: 35

The contribution of each of the urban districts shall be defrayed out of any rate applicable by the council of the district to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896: 40

The contribution of the rural district shall be included by the council of the district in their annual estimate and in their demand to be forwarded to the county council in accordance with section 51 of the said Act of 1898.

A.D. 1898.  
*Donn's  
Grange.*

- 5 12. The joint board shall issue precepts to the councils of the respective districts stating the sums required for the time being to be contributed by the said districts and requiring the said councils respectively within a time to be mentioned in such precepts to pay the amounts of their respective contributions to the joint board and thereupon the councils of the urban districts respectively shall in the manner hereinbefore provided raise and levy the amounts of their respective contributions and the said councils and the council of the rural district shall pay the amounts of their respective contributions to the joint board in accordance with the terms of such precepts.
- 10
- 15 13. A meeting of the joint board shall take place in every year on the first Saturday following the day on which the elections of elective members of the joint board have been completed :
- 20 After the said meeting the joint board shall meet at least once in every month on some day to be fixed at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every month.
- 25 14. At the meeting of the joint board which takes place in every year next after the completion of election of members of the board they shall appoint one of their members chairman and another member vice-chairman of the joint board. Such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board. In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.
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- 35 15. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of themselves to preside at such meeting until the chairman or vice-chairman takes the chair.
- 40 16. Every question at any meeting of the joint board consisting of more than three members shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost.
17. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board

Payment of  
contributions to  
joint board.

Meetings of  
joint board.

Chairman and  
vice-chairman  
of joint board.

Conduct of  
business at  
meetings of  
joint board.

All questions  
to be decided  
by a majority  
of votes.

Casting vote  
of chairman.

A.D. 1890.

Dean's  
Grouge.Quorum of  
joint board.Audit of  
accounts of  
joint board.34 & 35 Vict.  
c. 109.  
34 & 35 Vict.  
c. 65.  
31 & 32 Vict.  
c. 37.Adjustment of  
rights and  
liabilities.Costs and  
expenses of  
this Order.

but he shall not under any circumstances be entitled to any additional or casting vote.

18. No act at any meeting of the joint board shall be valid unless three members at least are present and if no greater number of members be present unless all of them concur therein. 5
19. The accounts of the joint board shall be made up in such form and to such days in every year as may be appointed from time to time by the Local Government Board and shall be audited by such auditor of the accounts relating to the relief of the poor as the Local Government Board appoint for the purpose. The auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by the Local Government Board (Ireland) Act 1872 and the Local Government (Ireland) Act 1898 and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of the last-mentioned audit: 10 15

If upon any audit of the accounts of the joint board it is ascertained that the board have a surplus of receipts over expenditure such surplus shall be dealt with in such manner as the Local Government Board may direct. The proportion of the salary of the auditor to be paid by the joint board shall be determined by the Local Government Board with the approval of the Treasury and shall be paid accordingly to such bank or to such persons as the Treasury may direct. 20

20. Upon the application of any council authority or person from whom or to whom any powers rights duties capacities liabilities obligations and property or any of them are transferred or alleged or claimed to be transferred in pursuance or by the operation of this Order or of any council authority or person otherwise affected by this Order the Local Government Board may by Order and after due inquiry if they think fit to direct any inquiry to be held settle any doubt or difference and adjust any accounts arising out of or incidental to such powers rights duties capacities liabilities obligations or property or to the transfer thereof and direct the parties by whom and to whom any moneys found to be due and the costs of any such inquiry or other proceedings are to be paid and the mode of raising such moneys and any provisions contained in any Order so made shall be deemed to have been made in pursuance of and to be within the powers conferred by this Order. 30 35

21. All the costs charges and expenses of the councils of the urban districts and the rural district and of the Local Government Board of and incidental to the application for preparation of obtaining and confirming this Order shall be paid and contributed by the said councils respectively in proportion to the rateable value of the property 40

in the district of each council such value to be ascertained according to the valuation list in force for the time being.

A.D. 1899.

Dean's  
Grange.

22. This Order may be cited and referred to for all purposes as the Dean's Grange Joint Burial Board Provisional Order 1899.

Short title of  
Order.

5      Given under our hands and seal of office this thirtieth day of May  
in the year of our Lord one thousand eight hundred and  
ninety-nine.

(L.S.)

(Signed)

H. A. ROBINSON.

W. L. MILES.

T. J. STAFFORD.

R. BAGWELL.

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